

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
(FORT WORTH DIVISION)**

NEXTGEAR CAPITAL, INC. AND  
AUTOMOTIVE FINANCE  
CORPORATION,

Plaintiffs,

v.

DRUIEN, INC. D/B/A LAWTON AUTO  
AUCTION A/K/A LAWTON CACHE  
AUTO AUCTION, LISA DRUIEN,  
MICHAEL VERNON GARRISON D/B/A  
ROCK HILL USED CARS, AND  
EMMETT DRUIEN,

Defendants.

Civil Action No. 4:20-cv-00959-BJ

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**PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiffs NextGear Capital, Inc. ("NextGear") and Automotive Finance Corporation ("AFC") (collectively, the "Plaintiffs"), and files this its Motion for Summary Judgment (the "Motion") moving the Court to enter final judgment on every element of each of Plaintiffs' causes of action against Druien, Inc. d/b/a Lawton Auto Auction a/k/a Lawton Cache Auto Auction, Lisa Druien, and Emmett Druien (collectively, the "Druien Parties").

The grounds for this Motion are that Plaintiffs NextGear and AFC are entitled to summary judgment under Federal Rule of Civil Procedure 56 because there is no genuine dispute as to any material fact and Plaintiffs are entitled to judgment as a matter of law. Therefore, Plaintiffs NextGear and AFC respectfully request that the Court enter final judgment on every element of each of Plaintiffs' causes of action against the Druien Parties. Each of the required matters will be set forth in Plaintiffs' Brief in Support of Motion for Summary Judgment.

**Respectfully Submitted,**

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*Attorneys for NextGear and AFC*

**CERTIFICATE OF SERVICE**

This is to certify that on August 30, 2021, a true and correct copy of the foregoing has been forwarded to Defendants Druen, Inc. d/b/a Lawton Auto Auction a/k/a Lawton Cache Auto Auction, Lisa Druen, and Emmett Druen, by and through their counsel of record, Richard Tallini, of Bailey & Galyen at 1300 Summit Avenue, Suite 650, Fort Worth, Texas 76102, via ECF.

/s/ Christopher V. Arisco  
Christopher V. Arisco